IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 11TH APRIL 2007 / 21ST CHAITHRA 1929

WP(C).No. 11601 of 2007(F)

PETITIONER:

C.K.ABDUL RAHIMAN,
RETIRED ADMINISTRATIVE ASSISTANT,
CHERIYAKOZHAKKATU, EDAVILANDU P.O.,
KODUNGALLOOR.

BY ADV. SRI.C.S.ABDUL SAMMAD
SRI.V.D.BALAKRISHNA KARTHA

RESPONDENTS:

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1. STATE OF KERALA - REPRESENTED BY THE SECRETARY TO GOVERNMENT, HEALTH AND FAMILY WELFARE DEPARTMENT, GOVERNMENT SECRETARIAT, TRIVANDRUM.

2. THE DIRECTOR OF HEALTH SERVICES, TRIVANDRUM.

3. DISTRICT COLLECTOR, TRICHUR.

4. DISTRICT MEDICAL OFFICER (HEALTH), TRICHUR.

5. SUPERINTENDENT, TALUK HEAD QUARTERS HOSPITAL, KODUNGALLOOR.

R1 TO R4 BY GOVT. PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J.

W.P(C).No.11601 OF 2007

Dated this the 11th day of April, 2007

JUDGMENT

Learned Government Pleader submits that notwithstanding the issuance of Ext.P7, in terms of the Public Accounts Act, the petitioner has a right to object to the said notice. Under such circumstances, this writ petition is disposed of directing that if the petitioner shows cause as against the demand made in Ext.P7 in accordance with law, the same shall be considered and disposed of in accordance with law at the earliest. The petitioner's contention that the Public Accounts Act may not be invoked shall also be considered particularly in view of the judgment of this Court, which the petitioner will place along with his objections. Let a final decision be taken within a period of two months from the date of receipt of the objections and a copy of this judgment, whichever is later. The petitioner will also be given an opportunity of being heard. Until such decision is taken, there shall be no recovery provided the petitioner files

objections as above within a period of three weeks from the date of receipt of a copy of this judgment.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.